

UNITED STATES BANKRUPTCY COURT
DISTRICT OF PUERTO RICO

IN RE:
ZAIDA RIVERA HERNANDEZ

CASE NO. 10-09138-BKT

CHAPTER 13

DEBTOR (S)

**TRUSTEE'S UNFAVORABLE REPORT
ON PROPOSED PLAN CONFIRMATION UNDER §1325**

TO THE HONORABLE COURT: NOW COMES, José R. Carrión, Chapter 13 Trustee, and very respectfully alleges and prays:

This is the Trustee's position regarding the request, under **11 U.S.C. §1325**, for the confirmation of a Chapter 13 Plan.

Debtor(s)' Income: **Above Median / 60 months commitment period.**

Gen Unsecured Pool: **\$0.00**

The **LIQUIDATION VALUE** of the estate has been determined in **\$0.00**

R2016 STM. \$3,000.00

TOTAL ATTORNEYS FEES THRU PLAN: \$3,000.00 Fees paid: \$0.00 Fees Outstanding: \$3,000.00
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With respect to the proposed (amended) Plan dated: **September 30, 2010** (Dkt 2).

Plan Base: **22,500.00**

The proposed (amended) plan can not be confirmed because it has the following deficiencies:

- Feasibility [§1325(a)(6)]

Debtor has proposed to pay through the plan the value of the vehicle financed through Reliable, which Debtor has estimated at \$9,100.00. Such value, however has not been determined by this Court through a valuation hearing or other legal procedure. Furthermore, Reliable has filed a secured claim in the amount of \$9,205.00, which includes \$625.00 of arrears. Please note that the plan is sufficiently funded to pay such claim in full.

Due to the above described deficiencies in the proposed plan the Trustee Objects to the Confirmation of the same.

CERTIFICATE OF SERVICE: The Chapter 13 Trustee herewith certifies that a copy of this motion has been served via first class mail on the same date it is filed to: the DEBTOR(s), and to her/his/their attorney through CM-ECF notification system.

In San Juan, Puerto Rico this November 30, 2010.

/s/ Jose R. Carrion

/s/ Jose R. Carrion

JOSE R. CARRION
CHAPTER 13 TRUSTEE
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